

SCANNED

DATE: 2-1-05

JRO:MKD:cml 37168 \pleading\37168changevenue

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTSMICHAEL B. HANDRIGAN,  
Plaintiff,

v.

TRAVIS & NATALIE, INC.,  
Owner of F/V TRAVIS & NATALIE,  
Defendants,

C.A. No.: 04-12491-NMG

**DEFENDANT, TRAVIS AND NATALIE, INC.'S MOTION TO TRANSFER VENUE  
PURSUANT TO 28 U.S.C. §1404(a)**

Now comes Travis and Natalie, Inc. defendant in the above-entitled action and requests this honorable court to transfer the instant case to the U. S. District Court for the District of Rhode Island. Pursuant to 28 U.S.C. 1404(a) and the case law interpreting it, transfer is appropriate for the convenience of the parties and witnesses and would serve the ends of justice. Defendant relies on the attached memorandum of law in support of its motion.

Respectfully submitted,  
DEFENDANT, TRAVIS & NATALIE, INC.,  
By Its Attorney,



J. Penn Oleen, Esq. #0623  
OLENN & PENZA, LLP  
530 Greenwich Avenue  
Warwick, RI 02886  
PHONE: (401) 737-3700  
FAX: (401) 737-5499

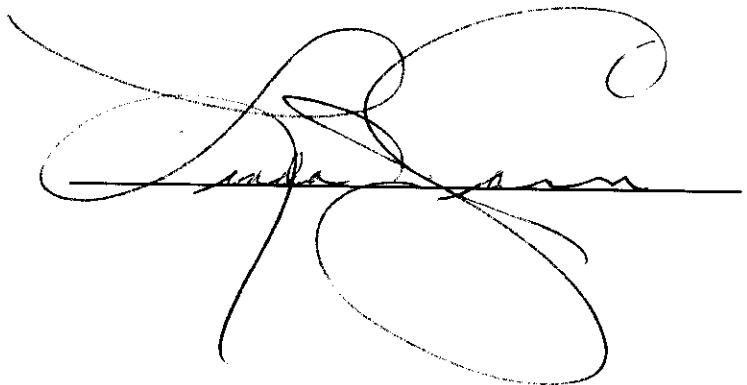
CERTIFICATION

I certify that I sent a true copy of the within on

1.28.05

to:

David B. Kaplan, Esq.  
THE KAPLAN / BOND GROUP  
88 Black Falcon Avenue, Suite 301  
Boston, MA 02210

A handwritten signature in black ink, appearing to read "David B. Kaplan", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'D' at the beginning.

JRO:MKD:ljc 37168 \pleading\37168Affidavit

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MICHAEL B. HANDRIGAN

VS.

TRAVIS & NATALIE, INC.,  
Owner of F/V TRAVIS & NATALIE

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C.A. NO. 04-12491 NMG

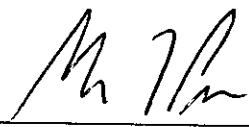
**AFFIDAVIT**

I, Frederick J. Mattera, of 113 Lewiston Avenue, West Kingston, Rhode Island 02892, hereby make affidavit as follows under the pains and penalties of perjury:

1. I am the owner of Travis & Natalie, Inc., which owns the F/V Travis & Natalie.
2. The home port of the F/V Travis & Natalie is the port of Galilee in Narragansett, Rhode Island.
3. To the best of my knowledge, all crewmen that worked on the F/V Travis & Natalie, at the time the plaintiff worked aboard the vessel, were residents of southern Rhode Island.

  
FREDERICK J. MATTERA

Subscribed and sworn to me this 25<sup>th</sup> day of January, 2005.

  
\_\_\_\_\_  
Notary Public Michael T. Prent

My commission expires: 6/2/06